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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	
-v.-	:	08 Civ. 5019
	:	
AGNES F. NOLAN, in her personal	:	<u>ECF Case</u>
capacity, and AGNES F. NOLAN, as	:	
personal representative for the estate of	:	
RICHARD E. NOLAN, deceased,	:	
	:	
Defendants.	:	
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**NOTICE OF VOLUNTARY DISMISSAL**

WHEREAS, the complaint in this case, filed on May 30, 2008, is redundant to a complaint previously filed in this Court, *see United States of America v. Nolan*, 07 Civ. 8594 (JGK) (filed Oct. 3 2007) (the "Original Complaint");

WHEREAS, the complaint in this case was filed simply to preserve the timeliness of the Government's claims in the event that a motion filed by defendants on April 29, 2008 to dismiss the Original Complaint was granted; and

WHEREAS, defendants' motion to dismiss the Original Complaint was denied on July 8, 2008, making the instant complaint no longer necessary,

PLEASE TAKE NOTICE that this case is hereby voluntarily dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(i) and that *United States v. Nolan*, 07 Civ. 8594 (JGK), will proceed.

Dated: New York, New York  
July 16, 2008

MICHAEL J. GARCIA  
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By: /s/ Serrin Turner  
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